

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

DEREK ANTOL, individually, and as next
friend for DSA-II; DEVON ANTOL
and TRYSTON ANTOL,

Case No. 1:17-cv-00613

Hon. JANET T. NEFF

Plaintiffs,

ADAM DENT, KATE STRAUS, CASEY
BRINGEDAH, CASEY TRUCKS, PETE
KUTCHES, and WESTERN MICHIGAN
ENFORCEMENT TEAM, a public body
organized under the laws of the State of
Michigan,

Defendants.

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EXHIBIT A

ANTOL, ET AL. v. DENT, ET AL.

DEREK ANTOL

May 10, 2018

Prepared for you by

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<p>1 APPEARANCES:</p> <p>2</p> <p>3 J. NICHOLAS BOSTIC</p> <p>4 Bostic & Associates</p> <p>5 909 North Washington Avenue</p> <p>6 Lansing, Michigan 48906</p> <p>7 (517) 706-0132</p> <p>8 barristerbostic@att.net</p> <p>9 Appearing on behalf of Plaintiffs.</p> <p>10</p> <p>11 CURT A. BENSON</p> <p>12 BRADLEY C. YANALUNAS</p> <p>13 Cummings McClorey Davis & Aho</p> <p>14 2851 Charlevoix Drive, SE</p> <p>15 Suite 327</p> <p>16 Grand Rapids, Michigan 49546</p> <p>17 (616) 975-7470</p> <p>18 cbenson@cmda-law.com</p> <p>19 byanalunas@cmda-law.com</p> <p>20 Appearing on behalf of Defendants Dent, Strauss,</p> <p>21 Bringedahl, and co-counsel for Defendant Kutches.</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 TABLE OF CONTENTS</p> <p>2</p> <p>3 WITNESS PAGE</p> <p>4 DEREK ANTOL</p> <p>5</p> <p>6 EXAMINATION</p> <p>7 BY MR. BENSON: 5</p> <p>8 EXAMINATION</p> <p>9 BY MR. SADOWSKI: 77</p> <p>10 EXAMINATION</p> <p>11 BY MR. BOSTIC: 79</p> <p>12</p> <p>13</p> <p>14 EXHIBITS</p> <p>15</p> <p>16 EXHIBIT PAGE</p> <p>17 (Exhibits attached to transcript.)</p> <p>18</p> <p>19 DEPOSITION EXHIBIT 1 73</p> <p>20 DEPOSITION EXHIBIT 2 76</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 ADAM P. SADOWSKI</p> <p>2 PATRICK MYERS</p> <p>3 Michigan Department of Attorney General</p> <p>4 525 West Ottawa Street</p> <p>5 Lansing, Michigan 48909</p> <p>6 (517) 373-6434</p> <p>7 SadowskiA@michigan.gov</p> <p>8 MyersP@michigan.gov</p> <p>9 Appearing on behalf of Defendant Casey Trucks.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 Grand Rapids, Michigan</p> <p>2 Thursday, May 10, 2018</p> <p>3 10:43 a.m.</p> <p>4</p> <p>5 DEREK ANTOL,</p> <p>6 was thereupon called as a witness herein, and after</p> <p>7 having first been duly sworn to testify to the truth,</p> <p>8 the whole truth and nothing but the truth, was</p> <p>9 examined and testified as follows:</p> <p>10 EXAMINATION</p> <p>11 BY MR. BENSON:</p> <p>12 Q. Mr. Antol, my name is Curt Benson, and I represent</p> <p>13 some of the officers that you filed this lawsuit</p> <p>14 against.</p> <p>15 Have you ever been deposed before?</p> <p>16 A. No.</p> <p>17 Q. Okay. Well, I'm sure you talked to your lawyer about</p> <p>18 it. Let me give you just some basic -- or some basic</p> <p>19 instructions.</p> <p>20 A. Sure.</p> <p>21 Q. If you, for some reason, don't understand a question</p> <p>22 I'm asking, would you please ask me to either repeat</p> <p>23 it or restate it so you understand exactly what it is</p> <p>24 you're answering?</p> <p>25 A. Certainly.</p>

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<p>1 BY MR. BENSON: 2 Q. All right, I'll hand you what's been marked as 1, that 3 is the Affidavit of Adam Dent. You've had the 4 opportunity to review that, correct? 5 A. Correct. 6 Q. Just now, correct? 7 A. Correct. 8 MR. BENSON: Okay. Could you read the 9 question back to the witness? 10 (The requested portion of the record was 11 read by the reporter at 12:14 p.m.) 12 A. Okay, the statements made on the first page of the 13 Affidavit, I don't object to anything on there. What 14 I had issues with was the references to the other 15 things, for instance, the McQueen and the Hartwick 16 case, you know, his affirmations that our business 17 model was running the same as these other two 18 individuals, when they in fact did not apply at all to 19 our model. I mean, I guess that would be the only 20 thing that I'd disagree with. 21 BY MR. BENSON: 22 Q. Okay. And just for point of clarification, you're on 23 page 2? 24 A. Correct. 25 Q. Okay. Could you just kind of point generally where</p>	<p>1 Q. Did he give any additional information other than to 2 show her the card -- or, excuse me, show her the 3 paperwork, to your knowledge? 4 A. Not to my knowledge. 5 Q. Okay. Your attorney was kind enough to provide us 6 with a report of inspection from the State of Michigan 7 Department of Treasury detailing the inspection that 8 occurred on July 9th of 2014. Much of what they 9 described occurred when you were not present. The 10 last paragraph just above the phrase seizure of 11 tobacco products has a paragraph in there that I 12 wonder if you would take a moment to read that 13 paragraph? I'm sorry, it's the one just above -- it's 14 that one right there, yeah, the last paragraph just 15 before seizure of tobacco products? 16 A. Okay, and your question is? 17 Q. Does that accurately describe your encounter with the 18 author of this report? 19 A. Yes. In compact form, yes. 20 MARKED FOR IDENTIFICATION 21 DEPOSITION EXHIBIT 2 22 12:19 p.m. 23 Q. Normally, you do this first, but I'll hand you what's 24 been marked as Exhibit Number 2, and that is the 25 report of inspection. And I had just asked you a</p>
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<p>1 we're talking about? 2 A. Yep, pretty much all of this. 3 Q. Okay, thank you. Let me quick look this over. 4 Oh, I see, okay. I got you, okay. 5 You make reference to, it looks like 6 paragraph 8, which is a reference to a Michigan Court 7 of Appeals case People V Hartwick. And I assume you 8 don't disagree with his interpretation of the case, 9 you just disagree with that your business model was 10 similar to People V Hartwick? 11 A. Correct. 12 Q. Okay. Is that also true with the -- excuse me, 13 another case he cites, which is State V McQueen? Do 14 you disagree that State V McQueen is applicable to 15 your case? 16 A. Correct. 17 Q. Okay. And I think you said that was it? 18 A. Yes. 19 Q. Okay. All right. 20 A. Thank you. 21 Q. Sure. Do you know what Detective Dent said to 22 Ms. Conklin in buying the marijuana? He just showed 23 fictitious papers indicating that he either had a card 24 or had applied for a card? 25 A. Correct.</p>	<p>1 question about that last paragraph. 2 Is Exhibit 2 what you were referring to? 3 A. Yes. 4 MR. BENSON: Okay, I've got nothing 5 further, thank you. 6 EXAMINATION 7 BY MR. SADOWSKI: 8 Q. Mr. Antol, I'm Adam Sadowski, as you know, I represent 9 Defendant Trucks. 10 I've seen your discovery responses, and you 11 would agree that you personally, on behalf of just 12 yourself, are not making any claims against Defendant 13 Trucks, correct? 14 A. Correct. I don't believe I had any encounter with 15 Trucks. 16 Q. Okay. 17 A. To my knowledge. He may have been at the store, but 18 there was probably close to, I don't know, eight or -- 19 eight to 12 officers at the store. I couldn't tell 20 who was an officer, who wasn't. Some were in uniform, 21 some were -- you know, they had like open carrying, I 22 guess. There was quite a few people out in the 23 parking lot, some customers, some neighbors. But I 24 honestly don't think I ever encountered Trucks. 25 Q. Okay. So it's your three sons that have claims</p>

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<p style="text-align: right;">Page 78</p> <p>1 against Trucks, or is it just Devon and Derek, is it?</p> <p>2 A. Yeah, I think it would be just Devon and Derek.</p> <p>3 Q. Okay.</p> <p>4 A. Or maybe Tryston did, too, because Trucks was at the</p> <p>5 home.</p> <p>6 Q. Okay. What did Devon tell you that Defendant Trucks</p> <p>7 did, or was he able to provide you with that level of</p> <p>8 detail?</p> <p>9 A. To me, he hasn't, no. I mean, they -- it's hard to</p> <p>10 say, because, I mean, we're -- I can't even put a face</p> <p>11 to the name. I mean, I -- and I wasn't there at the</p> <p>12 house. To me, it would be different if you were</p> <p>13 asking the kids and you had a picture of him, and then</p> <p>14 they'd be able to specify, you know, okay, yeah, I</p> <p>15 remember this guy, you know, whatever. But as far as</p> <p>16 me, I wasn't at the home, and Devon and Tryston</p> <p>17 weren't at the moment either. So as far as I know,</p> <p>18 with Trucks, it would have only been Derek, to my</p> <p>19 knowledge. But, I mean, there may be other things</p> <p>20 ensuing per the -- you know, the -- our alleged</p> <p>21 illegal search and seizure, you know, things that were</p> <p>22 -- his room and his due process being violated, that's</p> <p>23 -- I don't -- I don't believe I'm part of that.</p> <p>24 Q. Okay. Other than Defendant Trucks being involved in</p> <p>25 the search of the North Green Creek residence, is</p>	<p style="text-align: right;">Page 80</p> <p>1 off the internet. Do you know -- I wanted to clarify</p> <p>2 whether this is something that you or I printed off?</p> <p>3 A. I didn't.</p> <p>4 Q. Or whether it was part of Parolini's report, if you</p> <p>5 remember?</p> <p>6 A. I didn't print this off.</p> <p>7 Q. Okay.</p> <p>8 A. This isn't anything I did.</p> <p>9 Q. All right. When we had a break, did we -- you and I</p> <p>10 have an opportunity to discuss who Michael Tozer might</p> <p>11 be?</p> <p>12 A. Yes.</p> <p>13 Q. What do you think?</p> <p>14 A. I believe he was my electrician.</p> <p>15 MR. BENSON: Oh, thank you. I know the</p> <p>16 reference then, thanks.</p> <p>17 A. Okay.</p> <p>18 BY MR. BOSTIC:</p> <p>19 Q. And the -- looking at your Interrogatory Answers,</p> <p>20 under number 9, I want to see if you want to correct</p> <p>21 your answer about whether E was from the same incident</p> <p>22 in July as -- as D? Do you understand that D was the</p> <p>23 July 9, 2014 search warrant on all three locations,</p> <p>24 correct?</p> <p>25 A. Okay.</p>
<p style="text-align: right;">Page 79</p> <p>1 there any other claims, to your knowledge, on behalf</p> <p>2 of any of your kids against Defendant Trucks?</p> <p>3 A. Here again, to reiterate, we're not sure which one of</p> <p>4 the officers he is. A picture to my son would help</p> <p>5 clarify that. He may or may not have been one of the</p> <p>6 two officers holding a gun at my son. I can't say. I</p> <p>7 wasn't there. That would be a question for my son.</p> <p>8 MR. SADOWSKI: Okay. Well, then I have no</p> <p>9 further questions, thank you.</p> <p>10 EXAMINATION</p> <p>11 BY MR. BOSTIC:</p> <p>12 Q. I just want to clear up a couple things while we're</p> <p>13 all here together.</p> <p>14 Look at Exhibit 2.</p> <p>15 MR. BENSON: That's the inspection right</p> <p>16 there.</p> <p>17 A. Me or him?</p> <p>18 BY MR. BOSTIC:</p> <p>19 Q. You. The last few pages.</p> <p>20 A. Yeah, this was the sample of the --</p> <p>21 Q. Right?</p> <p>22 A. -- shisha.</p> <p>23 Q. But what I wanted to clarify for the record was that</p> <p>24 we have a report, which is seven pages, the first</p> <p>25 seven pages. The last few pages appear to be printed</p>	<p style="text-align: right;">Page 81</p> <p>1 Q. And then later in that same year, did you have a</p> <p>2 separate case?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. So E was not -- they were resolved together,</p> <p>5 correct?</p> <p>6 A. Correct.</p> <p>7 Q. But they didn't occur together?</p> <p>8 A. But it was dropped, but they didn't occur together.</p> <p>9 MR. BOSTIC: Okay, that's all I have.</p> <p>10 MR. BENSON: I don't have anything further.</p> <p>11 MR. SADOWSKI: I don't either.</p> <p>12 (The deposition was concluded at 12:25 p.m.</p> <p>13 Signature of the witness was not requested by</p> <p>14 counsel for the respective parties hereto.)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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